|   | •   |   |  | • )                 | ,`                |              |                   |   |  |
|---|---|---|--|---------------------|-------------------|--------------|-------------------|---|--|
| Please ty   | pe a plus   | sign (+)  | i de this box $\rightarrow$  | + ,                 | 4- ·· <del></del> |              |                   | PTO/SB/17   |  |
| GIP   | /3  |   |  |                     |                   | Approved     |                   | e through 09/30/00. OMB (<br>ffice: U.S. DEPARTMENT OF    |  |
| Under the Pap   | ervet Reduct:   | ion Act of 1  | 995, no persons are required   | to respond          |                   |              | formation u       | nless it displays a valid OMB contro                      |  |
| <u>(a)</u>  |   |   | Applic:  | ation Nu            | mber              | Combie       | 09/280,567        |   |  |
| APR 2 3 2   | 001 DEE   | TRANSM:   | ITTAL  | Filing              |                   |              |                   | 30 March 1999   |  |
|   | <b>E</b> T -  |   |  | First 1             | Named In          | ventor       |                   | Bumol, et al.   |  |
| Not   | urz   |   | ber 10, 1998.  | Group               | Art Unit          |              |                   | 1646  |  |
| BADEM   |   |   | annual revision.   |                     | er Name           |              |                   | M. Brannock   |  |
| TOTAL AMOUNT OF PAYMENT (\$)110.00  METHOD OF PAYMENT (check one) |   |   |  | Attorn              | ey Docke          |              |                   | X-12915<br>ATION (continued)                              |  |
|   |   |   | (0.100.11 0.10)  | 3. AI               | DDITION           |              |                   |   |  |
| 1. 5  |   | The Commissioner is hereby authorized to charge indicated fees and credit any |  |                     | Entity            | Small<br>Fee | Entity            | Poo Poogription   | Fee  |
|   |   | ments to:   | co and creare any  | Fee<br>Code         | Fee<br>(\$)       | Code         | Fee<br>(\$)       | Fee Description   | Paid   |
| Deposit<br>Account  | 05-0  | 0840  |  | 105                 | 130               | 205          | 65.               | Surcharge-late filing fee or oath                         |  |
| Number<br>Deposit   | Fli   | Lilly   | and Company  | 127                 | 50                | 227          | 25                | Surcharge-late provisional                                | $\vdash$   |
| Account   | Name  | DILI  | and Company  | -                   |                   |              |                   | filing fee or cover sheet.                                | L  |
| Ac Re   | harge Any<br>dditional Fee<br>equired Under<br>7 CPR 1.16 an<br>.17 |   | Charge the Issue Fee Set<br>in 37 CFR 1.18 at the<br>Mailing of the Notice of<br>Allowance | 139                 | 130               | 139          | 130               | Non-English specification                                 |  |
| 2.  |   | Enclosed:   |  | 147                 | 2,520             | 147          | 2,520             | For filing a request for reexamination                    |  |
|   |   | heck  | Money Other  | 112                 | 920*              | 112          | 920*              | Requesting publication of SIR                             |  |
|   |   | L   | Order  | 113                 | 1,840*            | 113          | 1,840*            | prior to Examiner action<br>Requesting publication of SIR |  |
|   | FEE   | CALCULA   | TION   | 115                 | 110               | 215          | 55                | after Examiner action Extension for reply within          | 110  |
|   |   |   |  | 116                 | 390               | 216          | 195               | first month<br>Extension for reply within                 | <del></del>                                      |
| 1. F  | ILING FER   | 2   |  | 117                 | 890               | 217          | 445               | second month Extension for reply within                   |  |
|   | tity Small  | Entity  |  | 118                 | 1,390             | 218          | 695               | third month<br>Extension for reply within                 |  |
|   | ee Fee<br>\$) Code  | Fee<br>(\$)   | Fee Fee<br>Description Paid  |                     | -•                |              |                   | fourth month  |  |
| 101 7   | 10 201  | 355   | Utility<br>filing fee  | 128                 | 1,890             | 228          | 945               | Extension for reply within fifth month                    |  |
| 106 3   | 20 206  | 160   | Design<br>filing fee   | 119                 | 310               | 219          | 155               | Notice of Appeal  |  |
| 107 4   | 90 207  | 245   | Plant filing fee   | 120                 | 310               | 220          | 155               | Filing a brief in support of an appeal                    |  |
| 108 7   | 10 208  | 355   | Reissue<br>filing fee  | 121                 | 270               | 221          | 135               | Request for oral hearing                                  |  |
| 114 1   | 50 214  | 75  | Provisional filing fee   | 138                 | 1,510             | 138          | 1,510             | Petition to institute a public use proceeding             |  |
|   |   |   | IIIIiig lee  | 140                 | 110               | 240          | 55                | Petition to revive-unavoidable                            |  |
| 1   | SUBTOTA   | L (1) (   | \$) .  | 141                 | 1,240             | 241          | 620               | Petition to revive-<br>unintentional                      | J ·  |
| 2.  | CLAIMS  | Extr  | Fee from Fee Paid  | 142<br>143          | 1,210<br>430      | 242<br>243   | 605<br><b>215</b> | Utility issue fee (or reissue) Design Issue Fee           |  |
| Total   |   | a_  | below<br>18 =  | 144                 | 580               | 244          | 290               | Plant Issue Pee   |  |
| Claims<br>Independent   |   | L   |  | Į.                  |                   | 122          | 130               | Petitions to the Commissioner                             |  |
| Claims  | -3**<br>endent Claims   |   |  | 122                 | 130               |              |                   |   |  |
| (first ti   |   |   | 270 =  | 123                 | 50                | 123          | 50                | Petitions related to<br>provisional applications          |  |
|   |   |   |  | 126                 | 240               | 126          | 240               | Submission of Information Disclosure Stmt.                |  |
|   |   |   |  | 581                 | 40                | 581          | 40                | Recording each patent<br>assignment per property (times   |  |
|   | tity Small  |   | Fee Description  | 146                 | 710               | 246          | 355               | number of properties) Filing a submission after final     |  |
| Code (  | ee Fee<br>\$) Code  | Fee<br>(\$)   |  |                     |                   |              |                   | rejection (37 CFR 1.129(a))                               |  |
| 103   | 18 203  | 9   | Claims in excess of 20   | 149                 | 710               | 249          | 355               | For each additional invention to be examined (37 CFR      |  |
| 102   | 80 202  | 39  | Independent claims in  | 179                 | 710               | 279          | 355               | 1.129(b)) Request for Continued                           | <del></del>                                      |
| 104 2   | 70 204  | 135   | excess of 3<br>Multiple dependent  | 169                 | 900               | 169          | 900               | Examination (RCE) Request for expedited                   | <del>                                     </del> |
| 100   | 70  | • •   | claim  |                     |                   |              |                   | examination of a design application                       |  |
| 109   | 78 209  | 39  | Reissue independent<br>claims over original  | Other fee (specify) |                   |              |                   |   |  |
| 110   | 18 210  | 9   | patent<br>Reissue claims in  | Other f             | ee (speci         | fy)          |                   |   | $\vdash$   |
| excess of 20 and over original patent                             |   |   |  |                     | \- <u></u>        |              |                   |   |  |
| **or numbe  | SUBTO<br>er previously  | TAL (2)   | (\$)   | *Reduced            | by Basic F        | Piling Fee   | Paid              | <b>SUBTOTAL (3)</b> (\$)110.00                            |  |
| greater; Fo   | or Reissues,  |   |  | <u> </u>            |                   | <del></del>  |                   | Complete (if applicable)                                  |  |
| Typed Name  |   | D. Webst  | er   | ····                | <del>-</del>      |              |                   | Reg. Number 39,872  |  |
| Signature Thomas Webb   |   |   |  |                     |                   |              | Date 4/16/0/      |   |  |
|   |   |   | CER  | rificat:            | E OF MA           | ILING        |                   |   |  |

I hereby certify that this correspondence is being deposited with United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on the date appearing below.

By

Date

04/25/2001 EABUBAK1 00000039 050840 09280567

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UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

DEA/FCE-1994

| SERIAL NUMBER       | FILING DATE | FIRST NAMED APPLICANT |   |                            |                   |  |
|---------------------|-------------|-----------------------|---|----------------------------|-------------------|--|
| 09280567            |             | r                     |   | AT                         | TORNEY DOCKET NO. |  |
| RECEIVED            | )           |                       |   | EXAMINER  Michael Brannock |                   |  |
| APR 2 6 2001        |             |                       |   | ART UNIT                   | PAPER NUMBER      |  |
| TECH CENTER 1600/29 | 00          |                       | ı | DATE MAILED:               | 19                |  |

## Please find below a communication from the EXAMINER in charge of this application Commissioner of Patents

Applicant's response to the Office Action of 6/20/00 is noted, however, Applicant's remarks will be held in abeyance because the reply filed on 12/19/00 is not fully responsive to the prior Office action 6/20/00 because of the following omission(s) or matter(s): this application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). Applicant was required to include sequence identifiers for each of the sequences in the specification that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2).

Applicant's reply is incomplete, for example, page 47 has not been amended Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Brannock, Ph.D., whose telephone number is (703) 306-5876. The examiner can normally be reached on Mondays through Fridays from 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, Ph.D., can be reached at (703) 308-6564 Any inquiry of a general nature or relating to the status of this

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Michael T. Brannock February 19, 2001

YVONNE EYLER, PH.D SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1600